IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3247 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.2244/2007 Dated 09/04/2007
C.R.NO.5/07 OF AMARAVILA EXCISE RANGE

.....

PETITIONER : 3RD ACCUSED:

SATHEESH, S/O.SASIDHARAN NAIR,
ASWATHI BHAVAN, MUZHANGUVILA,
PALUKAL DESOM, PALUKAL VILLAGE,
VILAVANCODE TALUK,
KANYAKUMARI DISRTRICT.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING EXCISE INSPECTOR
AMARAVILA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3247 OF 2007 A

Dated this the 1st day of June, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 3rd accused in C.R. No.5/07 of Amaravila Excise Range for offences punishable under Secs.55(a) and 67B of the Abkari Act for having been found in possession of 660 liters of spirit, seeks his enlargement on bail. Petitioner surrendered on 18.4.07.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 12.6.07 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Neyyattinkara and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

aks